

Message Text

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C O N F I D E N T I A L MANAGUA 3221

E.O. 11652: GDS

TAGS: SHUM, NU

SUBJECT: REGIONALLY-FOCUSED SPEECHES ON HUMAN RIGHTS

REF: STATE 179656

SUMMARY. THERE ARE TWO IMPORTANT TRENDS IN THE CASE OF NICARAGUA WHICH ARE RELATED TO U.S. HUMAN RIGHTS POLICY. FIRST, THERE HAVE BEEN POSITIVE STEPS TOWARD IMPROVED RESPECT FOR HUMAN RIGHTS BY THE GON. SECONDLY, A COMBINATION OF GREATER GON RESTRAINT AND THE BELIEF THAT U.S. HUMAN RIGHTS POLICY OFFERS GREATER PROTECTION APPEARS TO BE PROVIDING AN ATMOSPHERE CONDUCIVE TO A HEIGHTENED CONFRONTATION POSTURE BY OPPOSITION ELEMENTS VIS-A-VIS THE GON. IN THE EXTREME, THESE CONFRONTATIONAL ACTIVITIES ARE VIOLENT AND LEAD TO OCCASIONAL FURTHER HUMAN RIGHTS ABUSE AND THE TEMPTATION FOR THE GON TO TRY TO TURN THE CLOCK BACK TO A TIME WHEN FEAR OF GON REPRISAL MAINTAINED A LOWER LEVEL OF OPEN CONFRONTATION ACTIVITY ON THE PART OF THE OPPOSITION. END SUMMARY.

1. THE POSITIVE STEPS TOWARD AN IMPROVED RESPECT FOR HUMAN RIGHTS IN NICARAGUA ARE: A) IN EARLY 1977, CLEAR INSTRUCTIONS WERE GIVEN BY PRESIDENT SOMOZA TO THE GN TO AVOID ANY APPEARANCE OF HUMAN RIGHTS VIOLATIONS AND HE PROMISED TO INVESTIGATE AND PUNISH FURTHER VIOLATIONS (THE DISAPPEARING CAMPESINO
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PROBLEM ENDED); B) IN SEPTEMBER 1977, MARTIAL LAW AND CONSORSHIP WERE LIFTED; C) IN DECEMBER 1977, SOMOZA ACCEPTED TO ENGAGE IN A POLITICAL DIALOG WITH THE OPPOSITION; D) ALSO, IN DECEMBER, CABINET CHANGES WERE MADE WHICH REMOVED PERSONS MOST IDENTIFIED WITH CORRUPTION AND MALFEASANCE; E) IN FEBRUARY 1978, SOMOZA ANNOUNCED AN ELECTORAL LAW REFORM TO OPEN THE POLITICAL PROCESS TO THIRD PARTIES; F) FURING EXTREMELY TENSE PERIODS, MOST NOTABLY

IMMEDIATELY FOLLOWING THE CHAMORRO ASSASSINATION, THE MILITARY HAS IN GENERAL BEEN RESTRAINED; G) THE GON HAS INVITED AN IAHRC INVESTIGATION; H) THERE HAVE BEEN SEVERAL MINOR GON CONCESSIONS TO POPULAR PROTEST, E.G., IMPROVING PRISON CONDITIONS FOR FSLN PRISONERS.

2. AT THE SAME TIME, WITH THE CHAMORRO ASSASSINATION AS THE CATALYST, OPPOSITIONISTS HAVE INITIATED AN UNPRECEDENTED LEVEL OF OPEN CONFRONTATION WITH THE GON. AFTER THE ASSASSINATION, THE OPPOSITION STRENGTHENED ITS CALL FOR SOMOZA'S RESIGNATION, ADOPTING AN INTRANSIGENT STANCE. STUDENT ACTIVISM IN STRIKES, AND VIOLENT PROTESTS SUCH AS BUS BURNING, AND THROWING ROCKS AND BOMBS AT GN PATROLS HAS APPARENTLY BEEN ENCOURAGED BY THE LOW INCIDENCE OF THESE ACTIONS CAUSING DEATH OR SERIOUS BODILY HARM TO THE PROTESTORS AND THE FACT THAT ARRESTED STUDENTS HAVE BEEN QUICKLY FREED.

3. EMBASSY HAS RECEIVED VARIOUS COMMENTARY FROM OPPOSITIONISTS THAT THEY VIEW U.S. HUMAN RIGHTS POLICY AS FAVORABLE TO THEIR INTERESTS. MANY OF THESE SAME PERSONS HAVE EXPRESSED THEIR BELIEF THAT TAKEN TO ITS LOGICAL LIMIT, U.S. POLICY WILL ASSIST THEM IN FORCING SOMOZA-'S RESIGNATION, ESPECIALLY IN THE CASE OF WIDESPREAD VIOLENCE AND CHAOS. THE GON ALSO VIEWS THE UNPRECEDENTED LEVEL OF OPPOSITION CONFRONTATIONAL ACTIVITIES AS RESULTING FROM THE U.S. HUMAN RIGHTS POLICY AND
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POLITICAL DEVELOPMENTS IN NICARAGUA.

4. DURING THE PERIOD OF INCREASED GON-OPPOSITIONIST CONFRONTATION THERE HAVE BEEN INSTANCES OF RECURRING MILITARY HEAVY HANDEDNESS, DEATHS AND INJURIES WHICH CONSTITUTE HUMAN RIGHTS VIOLATIONS. THE GON HAS NOT SIGNIFICANTLY DEPARTED FROM ITS POLICY OF NOT PUNISHING THOSE RESPONSIBLE FOR THESE ABUSES. THE OPPOSITION EXPECTS THESE CASES TO RESULT IN GREATER U.S. CONDEMNATION OF THE GON. THE GON, ON THE OTHER HAND, POINTS TO THE GENERALLY RESTRAINED RESPONSE TO PROVOCATIVE ACTS, AS WITNESSED BY THE FEW DEATHS AND CONTINUING DEMONSTRATIONS AND EXPECTS TO RECEIVE CREDIT FROM THE U.S. FOR THIS RESTRAINT AS WELL AS OTHER POSITIVE INITIATIVES.

5. THE SITUATION IS NEARING A POINT IN ESCALATING VIOLENCE IN WHICH THE GON IS DESPARING OF THE POSSIBILITY OF ACHIEVING A POLITICAL MODUS VIVENDI WITH THE OPPOSITION SEGMENTS, AND IS SOUL SEARCHING ITS POLICY OF ACCOMMODATION. THE CRITICAL FACTOR IN ANY GON DECISION IS LIKELY TO BE ITS APPRECIATION OF THE U.S. REACTION AND WHETHER IT WOULD LOSE LESS BY IGNORING A NEGATIVE U.S. REACTION TO INCREASED REPRESSION THAN COULD BE GAINED BY CONTINUING TO HEED U.S. URGINGS FOR RESTRAINT.

6. A KEY FACTOR IN THE ABOVE DESCRIBED SITUATION IS THE ATTITUDE AND ACTIVITY OF THE OPPOSITIONISTS. IN GENERAL, THEIR STRATEGY HAS BEEN TO GO FOR BROKE, I.E., SOMOZA'S OUSTER, AND ACCEPT AS FORTUITOUS ANY POLITICAL CONCESSIONS THEY CAN ACHIEVE IN THE PROCESS. DESPITE EMBASSY URGINGS THAT THEY IDENTIFY AND ATTEMPT TO NEGOTIATE KEY STRUCTURAL CHANGES WHICH WILL BE CON-
DUCIVE TO DEMOCRATIC POLITICAL CHANGE (E.G., A FREE ELECTION, ETC), THEY HAVE TO DATE NOT DONE SO. THIS FACT PROBABLY DERIVES LARGELY FROM THE FRACTIONED NATURE OF THE OPPOSITION AND THAT THE EASIEST COMMON DENOMINATOR ON WHICH THE OPPOSITIONISTS CAN AGREE IS THAT SOMOZA MUST GO. THIS POLICY UNFORTUNATELY IS CON-
DUCIVE TO GREATER STRENGTH FOR THE FSLN REVOLUTIONARIES AND THEIR SUPPORTERS WHO POPULARLY ARE CONSIDERED THE ONLY
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SIGNIFICANT SHORT TERM THREAT TO SOMOZA'S CONTROL.

7. IT REMAINS VERY DIFFICULT TO PROGNOSTICATE, IN LIGHT OF THE POLITICAL OPPOSITION,S REMAINING LACK OF ORGANIZATION FOR POLITICAL ACTION, AND THE REVOLUTIONARIES GROWING INFLUENCE, WHETHER EVENTS IN NICARAGUA MIGHT LEAD TO SOMOZA'S OUSTER, VIA A COUP D'ETAT AND/OR A SUCCESSFUL REVOLUTION, OR EVENTUAL DEMOCRATIC CHANGE. U.S. HUMAN RIGHTS POLICY INTERESTS WOULD BE CLEARLY ADVANCED ONLY BY PEACEFUL DEMOCRATIC PROGRESS. WHETHER OBSERVANCE OF RESPECT
FOR HUMAN RIGHTS WOULD BE ADVANCED
BY ANY OF THE OTHER POSSIBILITIES IS MUCH MORE PROBLEMATIC.
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NOTE BY OCT: 179656 REF IS INCORRECT.

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